

Federal Defenders
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Southern District of New York
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February 9, 2023

Hon. John G. Koeltl
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: United States v. Henry Beato
22-Cr-480

Dear Judge Koeltl:

I am writing on behalf of Henry Beato, who is currently on supervised release, to seek permission for him to travel to the Dominican Republic from March 8 – March 15, 2023. Mr. Beato will be accompanied to the Dominican Republic by his parents. During that trip to the city of Salcedo, Mr. Beato's father, who owns property in that country, intends to formalize the legal documents necessary to make Mr. Beato the executor of his will. Mr. Beato's presence is necessary to complete that legal process. I have spoken with the Probation Department, which objects to this request.

In 2019, Mr. Beato was convicted of wire fraud and aggravated identity theft in the District of Idaho. On February 19, 2019, he was sentenced to 24 months' imprisonment on each count (to run consecutively), to be followed by 3 years of supervised release. He was also ordered to pay restitution. As a condition of supervised release, Mr. Beato is not permitted to knowingly leave his district of residence without permission. United States v. Beato, 18-Cr-282, Document #30 (D. Idaho 2019).

Mr. Beato was released from BOP custody on February 2, 2022, and his supervision was transferred to the Southern District of New York on September 9, 2022. Id., Document # 38. Probation Services Technician Andrew Leung has informed me that Mr. Beato has incurred no violations of which he is aware, and is currently being supervised on the "low intensity caseload." Probation nevertheless objects to Mr. Beato's request to travel because Mr. Beato has not made restitution payments.

Mr. Beato is currently unemployed and actively seeking placement in a job training program so that he can find work and make restitution payments. When he learned of Probation's objection, Mr. Beato immediately contacted Probation Services Technician Leung, and is going to begin making his \$25/month restitution payments within one week. Mr. Beato's father will be paying for Mr. Beato to accompany him to the Dominican Republic since Mr. Beato cannot afford the cost of the flight.

*Application granted provided
that the defendant make the first
two payments of restitution in the
total amount of \$50 before leaving
and provide probation with the
detailed itinerary of his trip.*

*So release
JLB/Kelp
U.S.D.S.
2/10/23*

In light of Mr. Beato's lack of violations, the non-violent nature of the conviction, and the important purposes of the proposed trip, his request to travel to the Dominican Republic from March 8 – March 15, 2023, should be approved.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Arthus", with a long horizontal stroke extending to the right.

Michael Arthus
Assistant Federal Defender
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